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# MEDIA ADVISORY

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## California Supreme Court to Issue Opinions on State's Determinate Sentencing Law

San Francisco—The California Supreme Court today announced that it will file two written opinions at 10 a.m. on Thursday, July 19, 2007, that involve the application of the U.S. Supreme Court's opinion in *Cunningham v. California* (2007) 127 S.Ct. 856 on California's determinate sentencing laws. A third opinion involving property taxes will be filed at the same time.

At the time of filing, all three opinions will be available on the California Courts Web site at <http://www.courtinfo.ca.gov/opinions>. The court's Notice of Forthcoming Filings also appears online at <http://www.courtinfo.ca.gov/courts/supreme/SF071907.PDF>.

The cases follow:

### **PEOPLE v. BLACK (KEVIN MICHAEL)**

S126182 (F042592 – Tulare County Superior Court – 79557)  
Argued in San Francisco 5-29-07

This case presents issues including (1) whether, under *Cunningham v. California* (2007) 127 S.Ct. 856, the Sixth Amendment is violated if the upper term is imposed but there exists at least one valid aggravating circumstance based upon a jury finding or the defendant's prior convictions, and (2) whether *Cunningham* applies to the imposition of consecutive sentences.

### **PEOPLE v. SANDOVAL (AIDA)**

S148917 (B187977 – Los Angeles County Superior Court – BA280950)  
Argued in San Francisco 5-29-07

This case presents issues including (1) whether, under *Cunningham v. California* (2007) 127 S.Ct. 856, the imposition of the upper term violated the Sixth Amendment, and, if so, (2) whether the error was

(over)

harmless, and whether the determinate sentencing law should be judicially reformed to render it constitutional.

**CITY OF DINUBA, ET AL. v. COUNTY OF TULARE, ET AL.**

S143326 (F046252 – Tulare County Superior Court – 03-205854)

Argued in San Francisco 5-30-07

This case presents the following issue: Does Government Code section 860.2 accord a county immunity for its allegedly improper calculation of property taxes and improper distribution of tax revenue owed to local taxing entities?

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